

CHAPTER 1052**EMERGENCY CARE OR ASSISTANCE LIABILITY
AND AUTOMATED EXTERNAL DEFIBRILLATORS***S.F. 505*

AN ACT relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 613.17, Code 2007, is amended to read as follows:

613.17 EMERGENCY ASSISTANCE IN AN ACCIDENT.

1. A person, who in good faith renders emergency care or assistance without compensation, shall not be liable for any civil damages for acts or omissions occurring at the place of an emergency or accident or while the person is in transit to or from the emergency or accident or while the person is at or being moved to or from an emergency shelter unless such acts or omissions constitute recklessness or willful and wanton misconduct.

a. For purposes of this section subsection, if a volunteer fire fighter, a volunteer operator or attendant of an ambulance or rescue squad service, a volunteer paramedic, a volunteer emergency medical technician, or a volunteer registered member of the national ski patrol system receives nominal compensation not based upon the value of the services performed, that person shall be considered to be receiving no compensation.

b. The For purposes of this subsection, operation of a motor vehicle in compliance with section 321.231 by a volunteer fire fighter, volunteer operator, or attendant of an ambulance or rescue squad service, a volunteer paramedic, or volunteer emergency medical technician shall be considered rendering emergency care or assistance ~~for purposes of this section~~.

c. For purposes of this section subsection, a person rendering emergency care or assistance includes a person involved in a workplace rescue arising out of an emergency or accident.

2. The following persons or entities, while acting reasonably and in good faith, who render emergency care or assistance relating to the preparation for and response to a sudden cardiac arrest emergency, shall not be liable for any civil damages for acts or omissions arising out of the use of an automated external defibrillator, whether occurring at the place of an emergency or accident or while such persons are in transit to or from the emergency or accident or while such persons are at or being moved to or from an emergency shelter:

a. A person or entity that acquires an automated external defibrillator.

b. A person or entity that owns, manages, or is otherwise responsible for the premises on which an automated external defibrillator is located if the person or entity maintains the automated external defibrillator in a condition for immediate and effective use at all times, subject to standards developed by the department of public health by rule.

c. A person who retrieves an automated external defibrillator in response to a perceived sudden cardiac arrest emergency.

d. A person who uses, attempts to use, or fails to use an automated external defibrillator in response to a perceived sudden cardiac arrest emergency.

e. A person or entity that provides instruction in the use of an automated external defibrillator.

Approved April 11, 2008

CHAPTER 1053**ABSENTEE BALLOT APPLICATIONS***S.F. 2089*

AN ACT relating to applications for absentee ballots.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 53.2, subsection 2, Code Supplement 2007, is amended to read as follows:

2. a. The state commissioner shall prescribe a form for absentee ballot applications. However, if a registered voter submits an application on a sheet of paper no smaller than three by five inches in size that includes all of the information required in this section, the prescribed form is not required.

b. Absentee ballot applications may include instructions to send the application directly to the county commissioner of elections. However, no absentee ballot application shall be pre-addressed or printed with instructions to send the applications to anyone other than the appropriate commissioner.

c. No absentee ballot application shall be preaddressed or printed with instructions to send the ballot to anyone other than the voter.

Sec. 2. Section 53.2, subsection 4, Code Supplement 2007, is amended to read as follows:

4. Each application shall contain the name and signature of the registered voter, the registered voter's date of birth, the address at which the voter is registered to vote, and the name or date of the election for which the absentee ballot is requested, and such other information as may be necessary to determine the correct absentee ballot for the registered voter. If insufficient information has been provided, either on the prescribed form or on an application created by the applicant, the commissioner shall, by the best means available, obtain the additional necessary information.

Sec. 3. Section 53.3, Code 2007, is amended to read as follows:

53.3 RECEIPT REQUIRED REQUIREMENTS FOR CERTAIN ABSENTEE BALLOT APPLICATIONS — PRESCRIBED FORM — RECEIPT.

1. When an application for an absentee ballot is solicited by, or collected for return to the commissioner by, a person acting as an actual or implied agent for a political party, candidate, or committee, as defined by chapter 68A, the person shall provide the applicant with the form prescribed by the state commissioner.

2. a. When an application for an absentee ballot is solicited by, and returned to the commissioner by, a person acting as an actual or implied agent for a political party, candidate, or committee, as defined by chapter 68A, the person shall issue to the applicant a receipt for the completed application.

b. The receipt shall contain the following information:

1. (1) The name of the applicant.

2. (2) The date and time the completed application was received from the applicant.

3. (3) The name and date of the election for which the application is being completed.

4. (4) The name of the political party, candidate, or committee for whom the person is soliciting and returning the application for the absentee ballot.

5. (5) The name of the person acting as an actual or implied agent for the political party, candidate, or committee.

6. (6) A statement that the application will be delivered to the appropriate commissioner within seventy-two hours of the date and time the completed application was received from the applicant or no later than five p.m. on the Friday before the election, whichever is earlier.